UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,063	10/06/2000	Tsunetake Noma	202708US6	2851

22850   7590   01/07/2009
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
LEE, PHILIP C

ART UNIT	PAPER NUMBER
2452	

NOTIFICATION DATE	DELIVERY MODE
01/07/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

PTOL-90A (Rev. 04/07)

Office Action Summary	Application No.	Applicant(s)
	09/684,063	NOMA, TSUNETAKE
	Examiner	Art Unit
	PHILIP C. LEE	2452

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 November 2008*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-13 and 15-18* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1,2,4-13 and 15-18* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
        1.☒ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment and remarks filed on November 4, 2008.

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in
37 CFR 1.17(e), was filed in this application after final rejection. Since this application is
eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)
has been timely paid, the finality of the previous Office action has been withdrawn pursuant to
37 CFR 1.114. Applicant's submission filed on 10/6/08 has been entered.

3.   Claims 1-2, 4-13 and 15-18 are presented for examination.

Objection

4.   Claims 8 and 15-17 are objected to because of the following informalities: Claim 8 (lines
32-33), "the list" should be " the list of all of the information processing apparatuses currently
accessing the shared server participating in said one of the plurality of chat rooms"; Claim 15,
Line 34, "belonging to the same group" should be deleted.

Claim Rejections – 35 USC 112

5.   Claims 1, 2, 4, 5, 8-10 and 15-17 are rejected under 35 U.S.C. 112, first paragraph, as
failing to comply with the written description requirement. The claim(s) contains subject matter

which was not described in the specification in such a way as to reasonably convey to one skilled

in the relevant art that the inventor(s), at the time the application was filed, had possession of the

claimed invention. The specification does not disclose "*simultaneously transmitting to all of the*

plurality of information processing apparatuses…a list of all of the information processing

apparatuses currently accessing the service providing apparatus… and text messages" as

claimed in claim 1; Claims 4, 5, 8, 9 and 15 also claim similar feature not disclose in the

specification. The specification merely teach transmitting to all of the plurality of information

processing apparatuses… a list of all of the information processing apparatuses currently

accessing the service providing apparatus... and text messages, but not *simultaneously*

transmitting to all of the plurality of information processing apparatuses… a list of all of the

information processing apparatuses currently accessing the service providing apparatus... and

text messages.

Claim Rejections – 35 USC 101

6.   Claims 1, 6, 12, 15 and 18 are rejected under 35 U.S.C. 101 because "Apparatus"

comprising: means or units (i.e., considered as software) does not include any functional

structure of an apparatus (i.e., hardware structure of an apparatus). An apparatus comprising

software is considered as program per se, which is not one of the categories of statutory subject

matter.

Claim Rejections – 35 USC 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another who
> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention
> thereof by the applicant for patent.

8.   The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

do not apply when the reference is a U.S. patent resulting directly or indirectly from an

international application filed before November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA

35 U.S.C. 102(e)).

9.   Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Simonoff, U.S.

Patent 7,043,529 (hereinafter Simonoff).

10.   As per claim 18, Simonoff teaches the invention as claimed providing a service (100, fig.

3) to a plurality of information processing apparatuses (300, fig. 3) via a network (400 fig. 3),

said service providing apparatus (100,fig. 3) comprising:

(a) a provision unit configured to provide a plurality of information processing

apparatuses with a chat room (col. 21, lines 19-26)(server 100 provides clients 300 with white

board which includes chat room);

(b) a reception unit configured:

(i) to receive text messages from any of the plurality of information processing

apparatuses in the chat room (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2)

(server receive chat messages from clients) and

(ii) receive a content request transmitted from any of the plurality of information

processing apparatuses in the chat room (col. 24, lines 53-56; col. 24, line 65-col.

25, line 2) (server receive command to relay the content (e.g., drawn object) from

the client);

(c) an acquisition unit configured to acquire the requested content in response to

reception of the content request (col. 14, lines 3—32; col. 23, line 60-col. 24, line 8) (obtaining

the uploaded content (e.g., drawn object)); and

(d) a transmission unit configured:

(i) to transmit the received text messages to all of the plurality of information

processing apparatuses in the chat room (col. 23, lines 60-64; col. 24, line 65-col.

25, line 2)(server relays chat messages to users) and

(ii) to transmit, when the reception unit receives the content request,

the acquired content simultaneously(col. 24, lines 22-27; col. 31, lines 35-37)

(server sends to the clients at the same time) to all of the plurality of information

processing apparatuses in the chat room (col. 20, lines 42-49; col. 24, lines 18-27;

col. 24, line 65-col. 25, line 2) (server relays the drawn object to chatting users).

Claim Rejections – 35 USC 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

12.   Claims 1, 4-6, 8-9, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Simonoff in view of Morris et al, U.S. Patent Application Publication 2002/0052919

(hereinafter Morris).

13.   As per claim 1, Simonoff teaches the invention substantially as claimed for providing a

service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3) via a

network (400, fig. 3), said service providing apparatus (100,fig. 3) comprising:

        (a) storing means for storing a plurality of chat rooms (server 100 storing web pages

containing the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of files),

and content (files, e.g., object) (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51);

        (b) receiving means:

                (ii) for receiving content requests transmitted from any of

        the plurality of information processing apparatuses participating in said one of the

plurality of chat rooms, the content request including a selection from the list of available

content (col. 22, lines 53-56) (server receive command to relay the content (e.g., drawn

object) from the client), and

(iii) for receiving text messages transmitted from any of the plurality of

information processing apparatuses currently participating in said one of the plurality of

chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat

messages form clients);

(c) acquiring means for acquiring the content requested by the content requests (col. 14,

lines 30-32; col. 23, line 60-col. 24, line 8) (obtaining the upload file (e.g., drawn

object));

(d) transmitting means for simultaneously transmitting to all of the plurality of

information processing apparatuses currently participating in said one of the plurality of chat

rooms (col. 24, lines 22-27; col. 31, lines 35-37) (server sends to the clients at the same time):

(i) the content acquired by said acquiring means (col. 20, lines 42-49; col. 24,

lines 18-27; col. 24, line 65-col. 25, line 2) (relay drawn objects to users at the same

time);

(ii) a list of all of the information processing apparatuses currently accessing the

service providing apparatus (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of

user accessing the server); and

(iii) said text messages received by said receiving means (col. 23, lines 60-64; col.

24, line 65-col. 25, line 2) (chat messages relayed to the users).

14.   Simonoff does not specifically teach receiving participation requests. Morris teaches for

receiving participation requests transmitted from any of a plurality of information processing

apparatuses to include a corresponding one of the plurality of information processing apparatuses

in one of said plurality of chat rooms ([0006] and [0008]) (server 100 receives input of user

clicking on SETUP button); and a list of all of the information processing apparatuses currently

accessing the service providing apparatus and participating in said one of the plurality of chat

rooms (figs. 1 and 2; [0007]).

15.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

of participation requests would allow users in Simonoff's system to invite other users to

participants in a chat room without fear that uninvited user will be able to see their comments

([0008]).

16.   As per claim 4, Simonoff teaches the invention substantially as claimed for providing a

service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3) via a

network (400, fig. 3), said service providing method comprising:

(a) a storage step of storing a plurality of chat rooms (server 100 storing web pages containing

the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of files), and content

in a service providing apparatus (files, e.g., drawn object) (col. 14, lines 30-32; col. 24, lines 7-8;

col. 34, lines 49-51);

(c) a second reception step of receiving in the service providing apparatus a content request

transmitted from any of the information processing apparatuses belonging to said one of the of

the plurality of chat rooms, the content request including a selection from the list of available

content (col. 22, lines 53-56) (server receive command to relay the content (e.g., drawn object)

from the client);

(d) a third reception step of receiving text messages transmitted from any of the information

processing apparatuses currently participating in said one of the plurality of chat rooms (col. 23,

lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages form clients);

(e) an acquisition step of acquiring in the service providing apparatus the content requested by

the content request (col. 14, lines 30-32; col. 23, line 60-col. 24, line 8) (obtaining the upload file

(e.g., object));

(f) a communication step of transmitting from the service providing apparatus the content

acquired by the acquisition step simultaneously to all of the information processing apparatuses

currently accessing the service providing apparatus and participating in said one of the plurality

of chat rooms (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2; col. 31,

lines 35-37) (relay objects to users at the same time); and

g) a transmission step of transmitting the content acquired in said acquisition step (col. 20, lines

42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay objects to users at the same

time), a list of all of the information processing apparatuses currently accessing the service

providing apparatus (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing

the server), and the text messages to each of the information processing apparatuses in said one

of the plurality of chat rooms (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2) (chat messages

relayed to the users).

17.   Simonoff does not specifically teach receiving participation requests. Morris teaches

receiving in the service providing apparatus a participation request to include one of a plurality

of information processing apparatuses in one of said plurality of chat rooms ([0006] and [0008])

(server 100 receives input of user clicking on SETUP button); and a list of all of the information

processing apparatuses currently accessing the service providing apparatus and participating in

said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

18.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

of participation requests would allow users in Simonoff's system to invite other users to

participants in a chat room without fear that uninvited user will be able to see their comments

([0008]).

19.   As per claim 5, Simonoff teaches the invention substantially as claimed for providing a

service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3) via a

network (400, fig. 3), comprising:

(a) a storage step of storing a plurality of chat rooms (server 100 storing web pages containing

the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of files), and content

(files, e.g., object) (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51);

(c) a second reception step of receiving a content request transmitted from any of the information

processing apparatuses participating in said one of the of the plurality of chat rooms, the content

request including a selection from the list of available content (col. 22, lines 53-56) (server

receive command to relay the content (e.g., object) from the client);

(d) a third reception step of receiving text messages transmitted from any of the information

processing apparatuses currently participating in said one of the plurality of chat rooms (col. 23,

lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages form clients);

(e) an acquisition step of acquiring the content requested by the content request (col. 14, lines 30-

32; col. 23, line 60-col. 24, line 8) (obtaining the upload file (e.g., object));

(f) a communication step of transmitting the content acquired by the acquisition step

simultaneously to all of the information processing apparatuses currently accessing the shared

server and participating in said one of the plurality of chat rooms (col. 20, lines 42-49; col. 24,

lines 18-27; col. 24, line 65-col. 25, line 2; col. 31, lines 35-37) (relay objects to users at the

same time); and

g) a transmission step of simultaneously transmitting the content acquired in said acquisition step

(col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay objects to users at

the same time), transmitting a list of all of the information processing apparatuses currently

accessing the shared server (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user

accessing the server), and the text messages to each of the information processing apparatuses

currently accessing said one of the plurality of chat rooms (col. 23, lines 60-64; col. 24, line 65-

col. 25, line 2) (chat messages relayed to the users).

20.   Simonoff does not specifically teach receiving participation requests. Morris teaches

receiving in a shared server a participation request transmitted from any of the plurality of

information processing apparatuses to include one of a plurality of information processing

apparatuses in one of said plurality of chat rooms ([0006] and [0008]) (server 100 receives input

of user clicking on SETUP button); and a list of all of the information processing apparatuses

currently accessing the shared server and participating in said one of the plurality of chat rooms

(figs. 1 and 2; [0007]).

21.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

of participation requests would allow users in Simonoff's system to invite other users to

participants in a chat room without fear that uninvited user will be able to see their comments

([0008]).

22.   As per claim 6, Simonoff teaches the invention substantially as claimed for accessing a

service providing apparatus functioning as shared server, which provides services on a network

(300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other

information processing apparatuses (300, figs. 2 and 3), said information processing apparatus

comprising:

        (a) inputting means for inputting access information into a single window of a media

player configured to access a shared server to select and participate in one of a plurality of chat

rooms (col. 23, lines 43-50) (inputting login username and password);

(b) display control means for controlling display of a list of available content transmitted from the shared server in the single window of the media player (col. 14, lines 14-27; col. 19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

(c) selecting means for selecting content from the list of available content in the single window of the media player (col. 22, lines 11-14) and requesting the shared server to transmit the selected content to an information processing apparatus participating in said one of the plurality of chat rooms and all of the other information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms by activating a command in the single window of the media player (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2);

(d) receiving means:

(i) for receiving the selected content transmitted from the shared server simultaneously to all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 31, line 66-col. 32, line 2; col. 24, lines 24-27; col. 24, line 65-col. 25, line 2) (users receives the relay objects transmitted at the same time from the server);

(ii) for receiving a list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56) (user receiving the list of user accessing the server); and

(iii) for receiving text messages transmitted from the shared server to all of the information processing apparatuses currently accessing the service providing apparatus

and participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24,

line 65-col. 25, line 2) (user receives the chat messages relayed from the server)

      (e) displaying means for displaying the list of all of the information processing

apparatuses currently accessing the shared server (col. 23, lines 53-56); and

      (f) reproduction controlling means for reproducing the received content (col. 23,

lines 60-66; col. 24, line 65-col. 25, line 2), the list of all of the information processing

apparatuses currently accessing the shared server (col. 19, line 64-col. 20, line 1; col. 23,

lines 49-56) (list of user accessing the server), and the text messages (col. 20, lines 42-

49).

23.   Simonoff does not specifically teach receiving a list of all of information processing

apparatuses participating in said one of the plurality of chat rooms. Morris teaches a list of all of

the information processing apparatuses currently accessing the shared server and participating in

said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

24.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

of a list of all of the information processing apparatuses currently accessing the shared server and

participating in said one of the chat rooms would allow users in Simonoff's system to identify

other users that are participating in a chat room ([0008]).

25.   As per claim 8, Simonoff teaches the invention substantially as claimed for accessing a

service providing apparatus functioning as shared server, which provides services on a network

(300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other

information processing apparatuses (300, figs. 2 and 3), comprising:

(a) inputting step of inputting access information into a single window of a media player

configured to access a single shared server to select and participate in one of a plurality of chat

rooms (col. 23, lines 43-50) (inputting login username and password into a window of a white

board client);

(b) display controlling step of controlling display of a list of available content transmitted

from the single shared server in the single window of the media player (col. 14, lines 14-27; col.

19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

(c) selecting step of selecting content from the list of available content in the single

window of the media player (col. 22, lines 11-14) and requesting the single shared server to

transmit the selected content to all of the information processing apparatus currently accessing

the single shared server and participating in said one of the plurality of chat rooms (col. 23, lines

60-64; col. 24, line 65-col. 25, line 2);

(d) a transmission step of transmitting a list of all of the information processing

apparatuses currently accessing the single shared server to each of the information processing

apparatuses (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the

server);

(e) a receiving step of receiving content, text messages, and a list of all of the information

processing apparatuses currently accessing the single shared server transmitted from the single

shared server to all of the information processing apparatuses-currently participating in said one

of the plurality of chat rooms (col. 31, line 66-col. 32, line 2; col. 23, lines 53-63; col. 24, lines

24-27; col. 24, line 65-col. 25, line 2) (users receives the relay objects, chat messages, and list of

users transmitted from the server),

(f) a display step of displaying the list of all of the information processing apparatuses

currently accessing the single shared server (col. 23, lines 53-56); and

g) a reproduction step of reproducing the content (col. 23, lines 60-66; col. 24, line 65-

col. 25, line 2), the text messages (col. 20, lines 42-49), and the list (col. 23, lines 55-56).

26.   Simonoff does not specifically teach receiving a list of all of information processing

apparatuses belonging to said one of the plurality of chat rooms. Morris teaches a list of all of

the information processing apparatuses currently accessing the shared server and belonging to

said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

27.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

of a list of all of the information processing apparatuses currently accessing the shared server and

belonging to said one of the chat rooms would allow users in Simonoff's system to identify other

users that are participating in a chat room ([0008]).

28.   As per claim 9, Simonoff teaches the invention substantially as claimed for accessing a

service providing apparatus functioning as shared server, which provides services on a network

(300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other

information processing apparatuses (300, figs. 2 and 3), comprising:

(a) an inputting step of inputting access information into a single window of a media

player configured to access a shared server to select and participate in one of a plurality of chat

rooms (col. 23, lines 43-50) (inputting login username and password);

(b) a display controlling step of controlling display of a list of available content

transmitted from the shared server in the single window of the media player (col. 14, lines 14-27;

col. 19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

(c) a selecting step of selecting content from the list of available content in the single

window of the media player (col. 22, lines 11-14) and requesting the shared server to transmit the

selected content to an information processing apparatus currently participating in said one of the

plurality of chat rooms and all of the other information processing apparatuses currently

accessing the shared server and participating in said one of the plurality of chat rooms by

activating a command in the single window of the media player (col. 23, lines 60-64; col. 24, line

65-col. 25, line 2);

(d) a transmission step of transmitting a list of all of the information processing

apparatuses currently accessing the shared server to each of the information processing

apparatuses currently participating in said one of the plurality of chat rooms (col. 19, line 64-col.

20, line 1; col. 23, lines 49-56) (list of user accessing the server);

(e) a receiving step of receiving:

(i) the selected content transmitted from the shared server to all of the information

processing apparatuses currently participating in said one of the plurality of chat rooms

(col. 31, line 66-col. 32, line 2; col. 24, lines 24-27; col. 24, line 65-col. 25, line 2) (users

receives the relay objects transmitted at the same time from the server);

(ii) a list of all of the information processing apparatuses currently accessing the

shared server (col. 23, lines 53-56) (user receiving the list of user accessing the server);

and

(iii) text messages sent from any of the information processing apparatuses

currently accessing the shared server and participating in said one of the plurality of chat

rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (user receives the chat

messages relayed from the server)

(f) a display step of displaying the list of all of the information processing apparatuses

currently accessing the shared server (col. 23, lines 53-56); and

(g) reproduction controlling means for reproducing the content (col. 23, lines 60-66; col.

24, line 65-col. 25, line 2) and the text messages (col. 20, lines 42-49).

29.   Simonoff does not specifically teach receiving a list of all of information processing

apparatuses currently participating in said one of the plurality of chat rooms. Morris teaches a

list of all of the information processing apparatuses currently accessing the shared server and

currently participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

30.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

of a list of all of the information processing apparatuses currently accessing the shared server and

currently participating in said one of the chat rooms would allow users in Simonoff's system to identify other users that are participating in a chat room ([0008]).

31.   As per claim 12, Simonoff teaches the invention substantially as claimed for providing a service (100, fig. 3) to a plurality of information processing apparatuses (300, fig. 3), the service providing apparatus functioning as a shared server on a network (400, fig. 3), said service providing apparatus (100,fig. 3) comprising:

(a) a storage unit configured to store a plurality of chat rooms (server 100 storing web pages containing the white boards) (col. 21, lines 19-26), a list of available content (e.g., list of files), and content (files, e.g., object) (col. 14, lines 30-32; col. 24, lines 7-8; col. 34, lines 49-51);

(b) a receiving unit:

(ii) configured to receive content requests transmitted from any of the information processing apparatuses participating in one of said plurality of chat rooms, the content requests including a selection from the list of available content (col. 22, lines 53-56) (server receive command to relay the content (e.g., object) from the client); and

(iii) configured to receive text messages transmitted from any of the information processing apparatuses participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (server receive chat messages form clients);

(c) an acquisition unit configured to acquire the content requested by the content requests (col. 14, lines 30-32; col. 23, line 60-col. 24, line 8) (obtaining the upload file (e.g., object));

(d) a communication unit configured to transmit the content acquired by said acquisition unit and the text messages simultaneously to all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (col. 20, lines 42-49; col. 23, lines 60-64; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2; col. 31, lines 35-37) (relay objects and chat messages to users at the same time); and

(e) a transmitter configured to transmit:

(i) a list of all of the information processing apparatuses currently accessing the shared server to each of the information processing apparatuses in said one of the plurality of chat rooms (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server);

(ii) the content acquired by the acquisition unit (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay objects to users at the same time); and

(iii) the text messages received by the receiving unit (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2) (chat messages relayed to the users).

32.   Simonoff does not specifically teach receiving participation requests. Morris teaches receiving participation requests to include a corresponding one of a plurality of information processing apparatuses in one of the plurality of chat rooms, the participation requests transmitted from any of a plurality of information processing apparatuses participating in said one of said plurality of chat rooms ([0006] and [0008]) (server 100 receives input of user clicking on SETUP button), and a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the of chat rooms (figs. 1 and 2; [0007]).

33.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff and Morris because Morris's teaching

of participation requests would allow users in Simonoff's system to invite other users to

participants in a chat room without fear that uninvited user will be able to see their comments

([0008]).

34.   As per claim 15, Simonoff teaches the invention substantially as claimed for accessing a

service providing apparatus functioning as shared server, which provides services on a network

(300 accessing 100, which provides service on 400 of figs. 2 and 3), together with other

information processing apparatuses (300, figs. 2 and 3), comprising:

        (a) an input unit configured to input access information into a single window of a media

player configured to access a shared server to select and participate in one of a plurality of chat

rooms (col. 23, lines 43-50) (inputting login username and password);

        (b) a display control unit configured to control display of a list of available content

transmitted from the shared server in the single window of the media player (col. 14, lines 14-27;

col. 19, lines 8-26) (figure 4 displays a list transmitted with the client applet);

        (c) a selecting unit configured to select content from the list of available content in the

single window of the media player (col. 22, lines 11-14) and to request the shared server to

transmit the selected content to an information processing apparatus participating in said one of

the plurality of chat rooms and all of the other information processing apparatuses currently

accessing the shared server and participating in said one of the plurality of chat rooms by

activating a command in the single window of the media player (col. 23, lines 60-64; col. 24, line 65-col. 25, line 2);

(d) a transmitting unit configured to transmit a list of all of the information processing apparatuses currently accessing the shared server to each of the information processing apparatuses in said one of the plurality of chat rooms (col. 19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server);

(e) a reception unit configured to receive:

(i) content transmitted from the shared server to all of the information processing apparatuses participating in said one of the plurality of chat rooms (col. 31, line 66-col. 32, line 2; col. 24, lines 24-27; col. 24, line 65-col. 25, line 2) (users receives the relay objects transmitted at the same time from the server);

(ii) a list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56) (user receiving the list of user accessing the server); and

(iii) text messages to each of the information processing apparatuses participating in said one of the plurality of chat rooms (col. 23, lines 60-63; col. 24, line 65-col. 25, line 2) (user receives the chat messages relayed from the server)

(f) a display configured to display the list of all of the information processing apparatuses currently accessing the shared server (col. 23, lines 53-56); and

(f) reproduction control unit configured to reproduce the content (col. 23, lines 60-66; col. 24, line 65-col. 25, line 2), the list (col. 23, lines 55-56) and the text messages (col. 20, lines 42-49).

35.   Simonoff does not specifically teach receiving a list of all of information processing apparatuses participating in said one of the plurality of chat rooms. Morris teaches a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the plurality of chat rooms (figs. 1 and 2; [0007]).

36.   It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Simonoff and Morris because Morris's teaching of a list of all of the information processing apparatuses currently accessing the shared server and participating in said one of the chat rooms would allow users in Simonoff's system to identify other users that are participating in a chat room ([0008]).

37.   Claims 2, 7, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simonoff and Morris in view of Johnson et al, U.S. Patent 7,143,177 (hereinafter Johnson).

38.   As per claims 2 and 13, Simonoff and Morris teach the invention substantially as claimed as claims 1 and 12 above. Simonoff and Morris do not specifically teach the content is music. Johnson teaches wherein:

(a) the content requested by the content requests is music (col. 5, lines 32-41; col. 29, lines 58-61; col. 30, lines 20-26) and

(b) the selection is particular music data (col. 20, lines 50-53; col. 21, lines 24-36).

39.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff, Morris and Johnson because

Johnson's teaching of the content selected is music would allow users in Simonoff's and

Morris's systems to share multimedia such as music with other users.

40.   As per claim 7, Simonoff and Morris teach the invention substantially as claimed as

claim 6 above. Although Simonoff teaches the list of available content is a table listing available

data provided from the service providing apparatus (col. 14, lines 30-32; col. 24, lines 7-8; col.

34, lines 49-51), however, Simonoff and Morris do not specifically teaches the content is music.

Johnson teaches wherein:

        music data provided from the service providing apparatus (col. 5, lines 32-41; col. 29,

lines 58-61; col. 30, lines 20-26) and the music data corresponds to the selected content (col. 5,

lines 32-41; col. 29, lines 58-61; col. 30, lines 20-26).

41.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff, Morris and Johnson because

Johnson's teaching of the content selected is music would allow users in Simonoff's and

Morris's systems to share multimedia such as music with other users.

42.   As per claim 16, Simonoff and Morris teach the invention substantially as claimed as

claim 15 above. Although Simonoff teaches the list of available content is a table listing

available data provided from the shared server (col. 14, lines 30-32; col. 24, lines 7-8; col. 34,

lines 49-51), however, Simonoff and Morris do not specifically teaches the content is music.

Johnson teaches wherein:

music data provided from the shared server (col. 5, lines 32-41; col. 29, lines 58-61; col.

30, lines 20-26) and the music data corresponds to the selected content (col. 5, lines 32-41; col.

29, lines 58-61; col. 30, lines 20-26).

43.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teachings of Simonoff, Morris and Johnson because

Johnson's teaching of the content selected is music would allow users in Simonoff's and

Morris's systems to share multimedia such as music with other users.

44.   Claims 10-11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Simonoff and Morris in view of Erdelyi, U.S. Patent Application Publication 2004/0056879

(hereinafter Erdelyi).

45.   As per claims 10-11 and 17, Simonoff and Morris teach the invention

substantially as claimed in claims 6, 9 and 15 above. Simonoff and Morris do not teach

activating a play button. Erdelyi teaches activating a command by activating a play button in the

single window of the media player (page 5, paragraphs 80 and 81).

46.   It would have been obvious to one having ordinary skill in the art at the time of the

invention was made to combine the teaching of Simonoff, Morris and Erdelyi because Erdelyi's

teaching of a single window of a media player would enhance and make it easier for users in

Simonoff's and Morris's systems to input and to select information/contents utilizing the

graphical interface.

47.   Applicant's arguments with respect to claims 1-2, 4-13 and 15-18, filed on 11/4/08 have

been considered but are moot in view of the new ground(s) of rejection.

48.   In the remark, applicant argued that:

        (1)   The rejection under the first paragraph of 35 USC 112 should be

        withdrawn.

        (2)   The amended claims include sufficient functional structure of the

        apparatuses according to paragraph 6 of 35 USC 112th.

        (3)   None of the cited references teaches the simultaneous transmission

        feature which is recited in all independent claims.

49.   In response to point (1), the claim amendment filed on 11/4/08 is still rejected under first

paragraph of 35 USC 112. Specifically, claim 1 recites: *simultaneously transmitting to all of the*

plurality of information processing apparatuses...a list of all of the information processing

apparatuses currently accessing the service providing apparatus... and text messages. This is

interpreted as transmitting the list and text messages to each of the plurality of information

processing apparatuses at the same time. The citations of the specification on the last paragraph

of page 14 to the first paragraph of page 15 (e.g., line 16, page 4 to line 3, page 5; lines 4-15 of

page 21) discloses the contents acquired are transmitted simultaneously to the plurality of information processing apparatus. Furthermore, the specification discloses simultaneously, in steps S56 and S75, client computers 3-2 and 3-3 received music data transmitted from the server. At most, these cited sections of the specification disclose the contents acquired such as music data are simultaneously transmitted to computers, which supports one of the required limitations of the claim. However, the specification does not disclose simultaneously transmitting (i.e., *at the same time*) the list to each of the plurality of information processing apparatuses, which is an amended limitation to the claim. Furthermore, the specification does not disclose simultaneously transmitting (i.e., *at the same time*) the text messages to each of the plurality of information processing apparatuses, which is another amended limitation to the claim.

50.   In response to point (2), although applicant claims that claims 1, 6, 12, 15 and 18 invoke paragraph 6 of 112th, which shall be construed to cover the corresponding structure in the specification, however, it is not automatically and inherent limited to hardware-inclusive embodiments. Accordingly, the rejections are maintained.

51.   In response to point (3), Simonoff teaches simultaneously transmitting to all of the plurality of information processing apparatuses currently participating in said one of the plurality of chat rooms (col. 24, lines 22-27; col. 31, lines 35-37) (server sends to the clients at the same time): (i) the content acquired by said acquiring means (col. 20, lines 42-49; col. 24, lines 18-27; col. 24, line 65-col. 25, line 2) (relay drawn objects to users at the same time); (ii) a list of all of the information processing apparatuses currently accessing the service providing apparatus (col.

19, line 64-col. 20, line 1; col. 23, lines 49-56) (list of user accessing the server); and (iii) said

text messages received by said receiving means (col. 23, lines 60-64; col. 24, line 65-col. 25, line

2) (chat messages relayed to the users). Similarly, Simonoff teaches the simultaneous

transmission features in the other independent claims.

52.   A shortened statutory period for reply to this Office action is set to expire THREE

MONTHS from the mailing date of this action. Any inquiry concerning this communication or

earlier communications from the examiner should be directed to Philip C Lee whose telephone

number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM

Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964.

The fax phone number for the organization where this application or proceeding is assigned is

571-273-8300. Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information for

unpublished applications is available through Private PAIR only. For more information about

the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip C Lee/

Primary Examiner, Art Unit 2452